



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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03/118,875 07/17/98 BAR

C RONO-664000

001588 PM82/0323
POLSTER LINDER WOODRUFF & LUCCHESI
768 SOUTH NEW BALLAS ROAD
ST LOUIS MO 63141-8750

EXAMINER

NELSON JR, M

ART UNIT

PAPER NUMBER

3624

DATE MAILED:

03/23/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of Allowability

Application No.
09/118,675

Applicant(s)
Bar et al.

Examiner
Milton Nelson, Jr.

Group Art Unit
3624



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to Applicant's amendment filed 3/6/00

☒ The allowed claim(s) is/are 2-29, 31-74, and 76-96

☒ The drawings filed on Jul 17, 1998 are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

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EXAMINER'S AMENDMENT

1. Claims 2-29, 31-74 and 76-96 are allowed.
2. Numerous obvious errors in the application have been corrected by examiner's amendment. The changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. The application has been amended as follows:
 - A) In line 7 of claim 7, --said-- has been inserted after "in";
 - B) In line 1 of claim 11, --said-- has been inserted after "of";
 - C) In line 6 of claim 12, "surface" has been changed to --end--;
 - D) In line 8 of claim 12, the second occurrence of "said" has been changed to --an--;
 - E) In line 10 of claim 12, "move" has been changed to --moved--, and "surface" has been changed to --end--;
 - F) In line 2 of claim 17, the first occurrence of "said" has been deleted;
 - G) In line 5 of each of claims 18, 22 and 26, the first occurrence of "the" has been changed to --a--;
 - H) In line 2 of each of claims 42, 44, 46, 47, 49, 58, 65 and 93, "extending" has been changed to --extendable--;

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D) In line 11 of claim 44, the second occurrence of "said" has been changed to --a--, and "device" has been changed to --assembly--;

J) In line 4 of claim 50, "portion" has been changed to --section--;

K) In line 1 of claim 53, "52" has been changed to --51-- (note that prior to this correction, claim 54 failed to further limit claim 53, as claim 54 provided subject matter already presented in claim 52, from which claim 53 was dependent);

L) In line 3 of claim 62, "extending" has been changed to --extendable--;

M) In line 12 of claim 62 and line 10 of claim 65, --a-- has been inserted after "provide";

N) In line 4 of claim 65, "the" has been changed to --a--;

O) In line 8 of claim 69, "rests" has been changed to --can rest--;

P) In line 10 of claim 93, the second occurrence of "said" has been changed to --a--;

Q) In line 2 of claim 94, "device" has been changed to --assembly--;

R) In line 5 of claim 96, the first occurrence of "said" has been changed to --a--; and

S) In line 6 of claim 96, the first occurrence of "the" has been changed to --a--.

4. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is (703) 308-2117. The examiner can normally be reached on Monday-Thursday from 6:30 AM-4:00PM. The examiner can also be reached on alternate Fridays.

Application/Control Number: 09/118,675

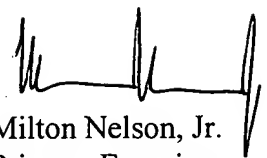
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The fax number for this Group is (703) 305-7687.

mn

March 17, 2000



Milton Nelson, Jr.
Primary Examiner



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

001688 PM82/0323
POLSTER LIEDER WOODRUFF & LUCCHESI
763 SOUTH NEW BALLAS ROAD
ST LOUIS MO 63141-8750

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/118,675	07/17/98	090	NELSON JR, M	3624 03/23/00
First Named Applicant	BAR,	35 USC 154(b) term ext. =	0 Days.	

TITLE OF INVENTION MODULAR BACKREST SYSTEM FOR A WHEELCHAIR

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 ROHO-6644US	297-440.200	K03	UTILITY	YES	\$605.00	06/23/00

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.